

**CONTRACT
MODIFICATION
NUMBER FIVE (5)**

**Contractor: OnSat Network
Communications,
Inc.**

**Contract Number: C22243
Contract Mod. Amt: \$ 318,240.00
Total Contract Amt: \$1,069,056.00**

DATE: December 1, 2004

Original Contract Date: November 30, 2001

PROJECT:

Head Start Master Agreement of Internet and Transmission Services

TO CONTRACTOR:

OnSat

PO Box 981855

Park City, Utah 84098

Contract for: INTERNET & TRANSMISSION SERVICES

The Contract is modified as follows,:

To include the following Statement of Work, (total cost \$):

- 1.) SOW No. 005: Navajo Nation Department of Head Start

DURATION: The term of this SOW starts December 1, 2004 and terminates November 1, 2008.

The TERMS & CONDITIONS set forth in the Master Contract shall govern the Statement of Work 005.

FUNDING SOURCE: (subject to availability of funds):

NOT VALID UNLESS SIGNED BY NAVAJO NATION AND ONSAT	Total
The original Contract Sum was:	\$750,816.00
The Contract Sum will be Increased by this Contract Modification in the Amount of:	\$318,240.00
The New Contract Sum including this Contract Modification will be:	\$1,069,056.00

The date of the Substantial Completion as of the date of the Contract Modification therefore is November 30, 2008 all other Terms and Conditions of the Master Agreement remain the same.

Signatures

ONSAT

Signature:

Name: David Stephens

Title: CEO

Date: 11/15/2004

THE NAVAJO NATION

Signature:

Joe Shirley Jr., President or

Frank Davish Jr., Vice President

THE NAVAJO NATION

Date: JAN 05 2005

OnSat
Contract# 22243
FY 2005

Account Distribution

Account Number	Object Code	Description	Amount
K050529	5600	Internet Services	73,440.00
	5640	Satellite	11,016.00
	6320	Software Support	11,016.00
K050530	5600	Internet Services	61,200.00
	5640	Satellite	9,180.00
	6320	Software Support	9,180.00
K050531	5600	Internet Services	31,824.00
	5640	Satellite	4,772.00
	6320	Software Support	4,772.00
K050532	5600	Internet Services	39,168.00
	5640	Satellite	5,876.00
	6320	Software Support	5,876.00
K050533	5600	Internet Services	39,168.00
	5640	Satellite	5,876.00
	6320	Software Support	5,876.00
		Total:	318,240.00

} 41,368

STATEMENT OF WORK

NAVAJO NATION
PHASE THREE
Department of Head Start

BCb

Prepared by:

Kuen Damiano

Contact Information

Customer Information

To assist OnSat managers in making engagements more successful, please provide the following contact and background information:

Project Manager: Title: Voice: Fax: E-Mail:	J. Kaibah Begay
Installation Address:	Individual Navajo Nation Project Head Start Sites as directed by Customer

OnSat Information

Manager: Voice: Fax: E-mail:	Kuen Damiano 801-466-1688 801-466-5998 rvandrunen@onsatnet.com
Lead Engineer: Voice: Fax: E-Mail:	Farrell Franklin 801-466-1688 801-466-5998 ffranklin@onsatnet.com
Contract Manager: Voice: Fax: E-Mail:	Dar Smith 801-466-1688 801-466-5998 DSmith@onsatnet.com

Statement of Work

Purpose

This Statement of Work is intended to ensure that the services contracted with OnSat meets the Customer's objectives and expectations. The Statement of Work includes the following sections to outline what things will and will not be included in this OnSat services engagement:

- Objectives—A list of services to be delivered
- OnSat's Responsibilities—A list of engagement boundaries
- Customer Responsibilities—What the Customer is expected to bring to the table
- Schedule—Dates of engagement
- Costs—A detail of what is being billed to the Customer
- Signatures of interested parties

If the Customer requests OnSat to perform services of Internet Transmission Services, Network Infrastructure Management, and Training to expand the services as identified in this Statement of Work, the performance of such additional services may require a modification to the agreement, its ending date and an increase in the fees to be paid by the Customer. The OnSat project manager can track such requests via Change Order and arrange for such services to be rendered.

Requests for OnSat resources and schedules are managed by an OnSat manager and will be assigned based on mutual agreement with the Customer and the availability of engineers possessing the required skill set.

Objectives

OnSat will furnish the following services to the Customer, Department of Early Childhood Development:

- BCb@ system; equipment and software necessary to connect Customer to OnSat's "Digital Equity Network®" Internet Services.
- Wireless transmission services between OnSat's satellite connection at each Navajo Chapter House and each Head Start School;
- Network Infrastructure Management of the Department of Early Childhood Development
- PC Management of Computers and Servers, equipment cost is additional
- Filtered Internet access to Department of Early Childhood Development sites

OnSat's Responsibilities

This project includes the following deliverables so that the Objectives will be met:

-
- Detailed link analysis performed by OnSat engineering, including the identification of antenna look angles.
 - Earth station frequency licensing (only for transmit sites).
 - Coordination with contractors for site preparation, including ground mount antenna installation and pointing.
 - Configuration of receiver.
 - Configuration of server.
 - Configuration of modulator for transmit sites.
 - Modification of OnSat hub to communicate with each customer site.
 - Acceptance test to ensure operation.
 - Provide first level support to Customer.
 - Provide depot based warranty exchange services on all Customer owned equipment.
 - Provide suitable server platforms, with properly installed and patched network operating system software necessary.
 - Responsible for first level support to all schools. OnSat shall provide all network infrastructure support to Customer through the designated Project Manager.
 - "Train the Trainer" services for Department of Early Childhood Development specific software services. This includes development of video training services.

Customer's Responsibilities

Customer shall provide the following:

- Provide contact names, telephone numbers and email addresses for each location.
- Furnish information and data on Customer's operations, activities, and existing business procedures, as required to achieve the project objectives.
- Allow a minimum of 21 business days lead time to allow scheduling of properly skilled engineers for engagement of all new installations.
- Provide adequate workspace at each facility where Services will be performed.
- Provide OnSat engineers with needed security access to Customer's facilities during the performance of Services.
- On-site survey with highly focused personnel when a "Blue Stake" utilities survey of the antenna site is required. This site survey should include the identification of underground water lines, gas lines, etc. for a ground installation.
- Ensure that adequate power sources are available for new and existing equipment.

Project Schedule

Project Start Date: December 1, 2004

Service Start Date: Individual Department of Early Childhood Development Sites will be enabled at completion of equipment install. Service Start Date shall be the date of the completion of the install at that site.

Term of Service:

The Service Start Date for this SOW shall be December 1, 2004. The Term of Service shall be 4 (four) years from the Service Start Date.

Costs:

This project includes:

TYPE OF FEES	DESCRIPTION	INITIAL FEES
Internet and Network Services	Connection to the Digital Equity Network, Shared DVB Channel for Broadcast Receive	\$1200 per year per site payable annually.
Network Infrastructure	Network Infrastructure management	\$180 per year per site payable annually.
Training	Computer support and software training services	\$180 per year per site payable annually.
		204 sites
Due upon acceptance of Statement of Work		11 Months less credit already paid
Services are Due at Service Start Date through the end of the Customer's Fiscal Year		\$318,240.00

Terms and Conditions

BY SIGNING CUSTOMER ACKNOWLEDGES AND AGREES THAT THIS STATEMENT OF WORK SHALL BE GOVERNED BY THE TERMS AND CONDITIONS OF THE MASTER AGREEMENT FOR INTERNET AND TRANSMISSION SERVICES BETWEEN ONSAT AND NAVAJO NATIONS ("PRIME CUSTOMER"), CONTRACT NUMBER 30019 THE PARTIES EXPRESSLY ACKNOWLEDGE THAT PURCHASE ORDER TERMS WILL NOT APPLY. THIS STATEMENT OF WORK SHALL REPLACE STATEMENT OF WORK NUMBER 003.



THE
NAVAJO
NATION

P.O. BOX 9000

WINDOW ROCK, ARIZONA 86515

(928) 871-6768

1930 01

JOE SHIRLEY, JR.
President

FRANK DAYISH, JR.
Vice-President

January 14, 2005

David Stephens, CEO
OnSat Network Communication, Inc.
2749 East Parley's Way, Suite 320
Salt Lake City, Utah 84109

AB 53282

Dear Sir:

Enclosed is your copy of the Modification Five (5) Contract C022243 with the Navajo Nation Head Start Office.

The contract approved, is increasing the amount by \$318,240.00, beginning December 01, 2004 and terminating November 01, 2008. All other terms and conditions remain the same. The above contract number must be referenced on all invoices and correspondence as it relates to this agreement.

Should you have any questions, please contact J. Kaibah Begay, Department Manager III, with the Navajo Nation Department of Headstart, at (928) 871-6902.

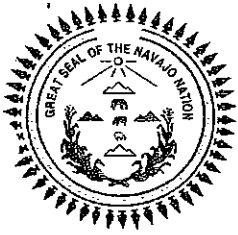
Sincerely,

THE NAVAJO NATION

A handwritten signature in cursive script, reading "Lucinda G. Davis".

Lucinda G. Davis, Senior Accountant
Contract Administration - OOC

Xc: Contract Accounting Section-OOC
J. Kaibah Begay, Headstart Program
File/Chrono



THE NAVAJO NATION

P. O. Box 9000 • Window Rock, Arizona 86515 • (928) 871-6000

JOE SHIRLEY, JR.
PRESIDENT

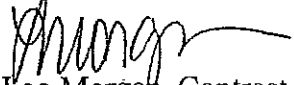
FRANK DAYISH, JR.
VICE PRESIDENT

MEMORANDUM

DATE : January 14, 2005

TO : Cordell Shorty, Contracting Officer
Office of Contracts & Grants
Division of Finance

Janice Haskie, Accounting Supervisor
Contract Administration
Office of the Controller

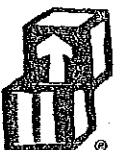
FROM : 
Leo Morgan, Contract Analyst
Department of Early Childhood Development
Division of Diné Education

SUBJECT: **Modification 5 to C22243 Between On-Sat Network Communications & the
Department of Early Childhood Development**

Attached is Modification 5 to C22243, signed, to officiate the agreement. Upon assignment of an account number and transmittal notice for Contract Accounting for the agreement, please retain a copy and return remaining 3 agreements to the Department of Early Childhood Development for distribution. Thank you.

Please contact Mr. Leo Morgan, Senior Contract Analyst or Raquel Casuse, Contract Analyst at extension 6902 regarding this agreement.

Xc: file
J. Kaibah Begay, Dept. Manager, DECD/DODE
L. Spencer, Asst. Dept. Manager, DECD/DODE
D. Smith, Principal Planner, DECD/DODE
A. Logg, Principal Accountant, DECD/DODE



OFFICE OF THE PRESIDENT and VICE-PRESIDENT

Division of Diné Education Administration Office

THE NAVAJO NATION
WINDOW ROCK, ARIZONA 86515

SIGNATURE APPROVAL SHEET

RECEIVED
DEC 7 PM
2954
66

OFFICE: Early Childhood Dev. NAME: J. Kaibah Begay

PHONE: 871-6902/6355

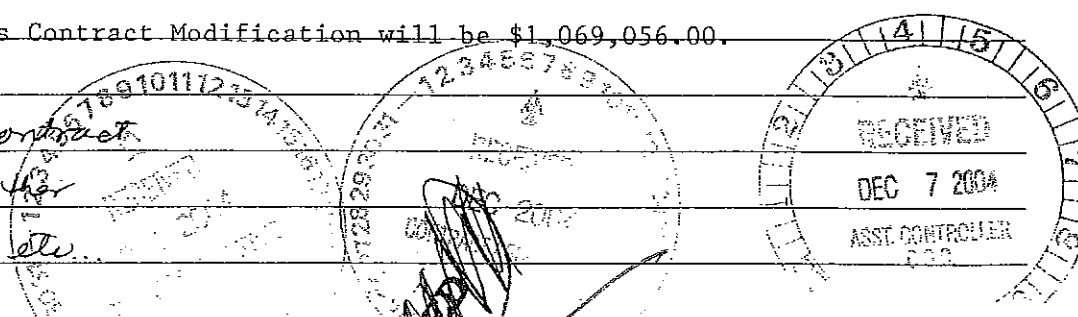
COMMITTEE: _____

DOCUMENT: Modification No. Five (5) to C22243 between Head Start & OnSat DATE: 12-02-2004
Network Communications

TITLE/HEADING: _____ DOCUMENT: _____

Supporting and Approving Modification No. Five (5) to Contract No. 22243 between the
Department of Head Start and OnSat Network Communications to include Statement of Work
Number Six (6) starting December 01, 2004 and terminating November 01, 2008. Statement
of Work Number Six (6) incorporates Phase Three of Internet and Transmission Services
for Head Start. Modification Number Five (5) is in the amount of \$318,240.00. The New
Contract Sum including this Contract Modification will be \$1,069,056.00.

*Recommend separate contract
instead of adding onto other
agreements w/ DPS, ED, etc.*



SURNAME

Program/Sponsor: J. Kaibah Begay, Dept Manager III

Date: 12/06/04

Division of Diné Education: Ky Rik

Date: 12/06/04

Office of The Controller: Spencer

Date: 12/20/04

Office of The Attorney General: Wanda Bohloff

Date: 12-29-04

Office of The President: MDK

Date: 1-5-04

Legislative Council: _____

Date: _____

Committee Chairperson/Speaker: _____

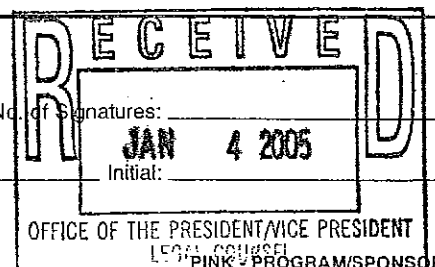
Date: _____

Date Signed: _____

No. of Signatures: _____

Disposition: _____

Initial: _____





NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST FOR SERVICES

DOJ
12/22/04 3:13
DATE/TIME
RFS# 04-2800
SAS# 2954
UNIT: HSGU

~ CLIENT TO COMPLETE ~

DATE OF REQUEST: Dec. 02, 2004 DIVISION: Dine' Education
REQUESTING PARTY: J. Kaibah Begay DEPARTMENT: Early Childhood Development
PHONE NUMBER: 871-6902 PROGRAM:

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (attach documents):

Supporting and Approving Modification Five (5) to Contract No. 22243 between the Department of Head Start and OnSat Network Communications to include Statement of Work Number Six (6) starting December 1, 2004 and terminating November 1, 2008. Statement of Work Number Six (6) incorporates Phase Three of Internet and Transmission Services for Head Start. Modification No. Five (5) is in the amount of \$318,240.00. The New Contract Sum including this Contract Modification will be \$1,069,056.00

DEADLINE: REASON:

~ DOJ SECRETARY TO COMPLETE ~

DATE/TIME IN UNIT: DEC 22 2004 @ 3:24p RESPONSIBLE STAFF PERSON: Dana
REVIEWED & ASSIGNED: jmg TIME/HRS/MIN 1 COMPLETION DATE:

☒ REVIEW FOR LEGAL SUFFICIENCY

☒ SURNAME

☐ REQUEST FOR LEGAL OPINION

☐ APPOINTMENT/CONFERENCE/MEETING

☐ RESOLUTION: _____

☐ REVIEW & ADVISE

~ DOJ ATTORNEY/ADVOCATE TO COMPLETE ~

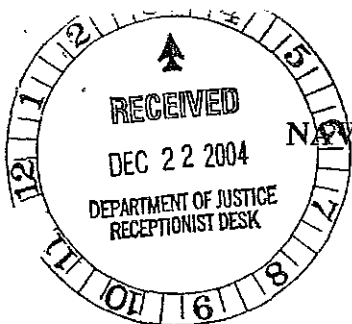
REVIEWED BY: Dana Bobroff DATE: 12-29-04 TIME: _____ Hrs. _____ Min.
SURNAMED BY: Dana Bobroff DATE: 12-29-04 TIME: _____ Hrs. _____ Min.

DATE SENT TO DOJ RECEPTIONIST:

Called _____ for document pickup.
Date: _____ Time: _____ By: _____

PICKED UP BY: _____ DATE/TIME: _____

PLEASE PRINT ♦ PLEASE PRINT ♦ PLEASE PRINT



NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST FOR SERVICES

DOJ
12/22/04 3:13
DATE/TIME
RFS# 04-2800
SAS# 2954
UNIT: H3512

~ CLIENT TO COMPLETE ~

DATE OF REQUEST: Dec. 02, 2004 DIVISION: Dine' Education
REQUESTING PARTY: J. Kaibah Begay DEPARTMENT: Early Childhood Development
PHONE NUMBER: 871-6902 PROGRAM:

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DEADLINE: REASON:

~ DOJ SECRETARY TO COMPLETE ~

DATE/TIME IN UNIT: DEC 22 2004 @ 3:24p RESPONSIBLE STAFF PERSON: Dana
VIEWED & ASSIGNED: [signature] TIME/HRS (MIN) 1 COMPLETION DATE:

☒ REVIEW FOR LEGAL SUFFICIENCY

☒ SURNAME

☐ REQUEST FOR LEGAL OPINION

☐ APPOINTMENT/CONFERENCE/MEETING

☐ RESOLUTION: _____

☐ REVIEW & ADVISE

~ DOJ ATTORNEY/ADVOCATE TO COMPLETE ~

REVIEWED BY: [signature] DATE: DATE: 12-29-04 TIME: Hrs. Min.
SURNAMED BY: [signature] TIME: Hrs. Min.

DATE SENT TO DOJ RECEPTIONIST:

Called _____ for document pickup.
Date: Time: By:

PICKED UP BY: DATE/TIME:

PLEASE PRINT ♦ PLEASE PRINT ♦ PLEASE PRINT

SPONSOR 'A' COPY



THE NAVAJO NATION

P. O. Box 9000 • Window Rock, Arizona 86515 • (928) 871-6000

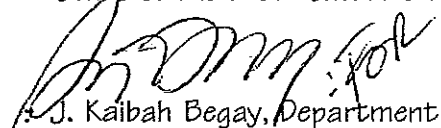
JOE SHIRLEY, JR.
PRESIDENT

FRANK DAYISH, JR.
VICE PRESIDENT

MEMORANDUM

DATE : December 8, 2004

TO : Patrick Sandoval, Chief of Staff
Office of the President/Vice-President

FROM : 
J. Kaibah Begay, Department Manager
Department of Early Childhood Development
DIVISION OF DINÉ EDUCATION

SUBJECT: INDIRECT COST ON OnSat CONTRACT MODIFICATIONS

SAS Nos. 2944 and 2945 are modifications to Contracts C22243 and C22052 between Onsat Network Communications and the Department of Early Childhood Development (formerly Head Start) and the Navajo Nation, Division of Community Development, respectively. Both contracts are procurement contracts and as such do not require an Indirect Cost.

Indirect Costs only apply to external funding grants from the state or from the federal government.

If you should have any other questions or concerns, please feel free to contact me or Raquel Casuse at X6902. Thank you for your time and interest.

Xc: file
Chrono/rc





**THE
NAVAJO
NATION**

P.O. Box 9000 • WINDOW ROCK, ARIZONA • 86515

PRESIDENT
JOE SHIRLEY, JR.
VICE PRESIDENT
FRANK J. DAYISH, JR.

MEMORANDUM

TO : ALL CONCERNED

FROM : J. Kaibah Begay / jr
J. Kaibah Begay, Program Manager III
DEPARTMENT OF HEAD START

DATE : December 08, 2004

SUBJECT : DELEGATION OF AUTHORITY

Mr. Roy L. Tracy, ASO is hereby delegated in the capacity of the Department Manager's position.

This delegation is to maintain administration and program continuity for the Department of Head Start. This delegation will begin on December 08, 2004 beginning at 8:00 AM and ending on December 10, 2004 or until such time I return to the office.

Your full cooperation and assistance given to Mr. Tracy will be appreciated.

ACKNOWLEDGEMENT:


Mr. Roy L. Tracy, ASO
DEPARTMENT OF HEAD START

Distribution: Leland Leonard, Executive Director
File